

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
CRIMINAL ACTION NO. 3:20-CR-00240-KDB-SCR-12**

**UNITED STATES OF AMERICA,**

v.

**JOEL MARK WALKER,**

**Defendant.**

**ORDER**

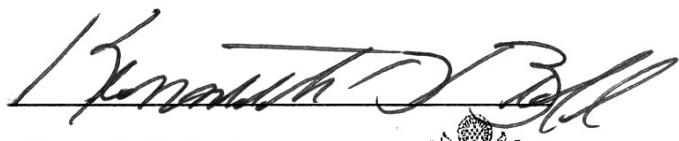
**THIS MATTER** is before the Court on Defendant's *pro se* motion for reconsideration of application of the Sentencing Commission's recent amendment to U.S.S.G. §4C1.1 in Amendment 821 regarding certain zero-point offenders. (Doc. No. 387).

In Defendant's Presentence Report, Defendant had zero criminal history points. (Doc. No. 137, ¶ 52). Defendant had a total offense level of 31 and a criminal history category of I. *Id.*, ¶¶ 48, 52. Thus, the applicable guideline range was 108-135 months imprisonment. (Doc. No. 138 at 1). Under the amendment to U.S.S.G. §4C1.1, the Defendant does not qualify to receive a two-level reduction in his offense level because he does not satisfy §4C1.1(a)(7) because he possessed a firearm. (Doc. No. 137, ¶¶ 29, 39). Possessing a concealed carry permit is not an exception to this rule and does not absolve Defendant of possessing a weapon during the offense.

**IT IS THEREFORE, ORDERED**, that Defendant's *pro se* request for reconsideration of application of the Sentencing Commission's recent amendment to U.S.S.G. §4C1.1 and reduction in sentence (Doc. No. 387), is **DENIED**.

Signed: March 19, 2024

**SO ORDERED.**



Kenneth D. Bell

United States District Judge

